

Case 1:05-cv-05231-RJS Document 291 Filed 06/20/13 Page 9 of 19

Case 1:05-cv-05231-RJS Document 283-1 Filed 05/30/13 Page 1 of 4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

AMERINDO INVESTMENT ADVISORS INC.,
AMERINDO INVESTMENT ADVISORS, INC.,
AMERINDO ADVISORS UK LIMITED,
AMERINDO MANAGEMENT INC.,
AMERINDO TECHNOLOGY GROWTH FUND, INC.,
AMERINDO TECHNOLOGY GROWTH FUND II, INC.,
TECHNO RAQUIA, S.A.,
ALBERTO W. VILAR, and
GARY ALAN TANAKA,

Defendants.

05 Civ. 5231 (RJS)

ECF CASE

PROOF OF CLAIM FORM

Please fill in the information below and supply the supporting documents requested as an attachment to this proof of claim form. This should be received by the Court appointed Receiver for Amerindo Investment Advisors (Panama) et al., whose name and address is below, so as to be received in hand on or before 4:00 p.m. May ___, 2013 by (a) certified mail return receipt requested or (b) overnight courier:

Ian J. Gazes, Esq.
Gazes LLC
151 Hudson Street
New York, New York 10013

Debtor means one or more of the Amerindo entities in which you gave Principal Funds.

Principal Funds means all funds given to the Debtor(s) and NOT returned to you.

Profits means the appreciated value of the Principal Funds prior to May 25, 2005 such as by way of example interest if you held promissory notes and NOT paid to you.

If you are not sure of a fact, please so state, and provide the best documentation you have.

Case 1:05-cv-05231-RJS Document 291 Filed 06/20/13 Page 10 of 19

Case 1:05-cv-05231-RJS Document 283-1 Filed 05/30/13 Page 2 of 4

PART A

Please answer the questions below and submit together with this completed form any written agreements between you and the Debtor(s) as concerns the establishment and/or opening of an account with the Debtor(s) and Profits prior to May 25, 2005

THIS PROOF OF CLAIM ONLY COVERS PRINCIPAL FUNDS AND PROFITS AS OF MAY 25, 2005

1. Your name and address, including the name of any entity through which you provided Principal Funds with the Debtor(s). If your name or address had changed, please specify.

David Manner, c/o Spolin Cohen Manner LLP, 1230 Rosecrans Ave #600
Manhattan Beach CA 90266, Amerindo Master Venture Fund, Inc.

2. Name and address of Debtor(s) (Amerindo entity) in which you gave the Principal Funds.

Amerindo Master Venture Fund, Inc., 399 Park Avenue, 22nd Floor
New York NY 10022

Please specify and provide documents reflecting the transmittal of Principal Funds to the Debtor(s). There were a subscription agreement and an operating agreement, I do not have copies.

3. Details including the amount and supporting documentation related to Principal Funds you claim as of May 25, 2005:

I don't know. I do not have the records.

4. Details including the amount and supporting documentation related to any Profits you claim as of May 25, 2005:

I don't know. I do not have the records.

5. Did you receive any distributions from the Debtor on account of your Principal Funds you claim as of May 25, 2005?

No
If yes please specify any and all distributions and include any payments to third parties by the Debtor(s) on your behalf.

Please attach the last statement you received from the Debtor(s).

I do not have any statements.

Please provide copies of all documents that support your claim as of May 25, 2005. Documents could include but are limited to promissory notes, itemized statements of your accounts, cancelled checks, wire transfer confirmations, letters, contracts, judgments, and security agreements. If the claim is secured please attach all document supporting same

Please answer the questions below and submit together with this completed form any written agreements between you and the Debtor(s) as concerns the establishment and/or opening of an account with the Debtor and appreciated value after May 25, 2005

Case 1:05-cv-05231-RJS Document 291 Filed 06/20/13 Page 11 of 19

Case 1:05-cv-05231-RJS Document 283-1 Filed 05/30/13 Page 3 of 4

PART B

THIS PROOF OF CLAIM ONLY COVERS PRINCIPAL FUNDS AND PROFITS AFTER MAY 25, 2005

1. Your name and address, including the name of any entity through which you provided Principal Funds with the Debtor(s). If your name or address had changed, please specify.

Same as part A - see above.

2. Name and address of Debtor(s) (Amerindo entity) in which you gave the Principal Funds.

Same as Part A - see above

Please specify and provide documents reflecting the transmittal of Principal Funds to the Debtor(s)

Same as Part A - see above.

3. Details including the amount and supporting documentation related to Principal Funds you claim after May 25, 2005:

Same as Part A - see above

4. Details including the amount and supporting documentation related to any Profits you claim after May 25, 2005

Same as Part A - see above

5. Did you receive any distributions from the Debtor on account of your Principal Funds you claim after May 25, 2005?

No

If yes please specify any and all distributions and include any payments to third parties by the Debtor(s) on your behalf.

Please attach the last statement you received from the Debtor(s).

I do not have any statements

Please provide copies of all documents that support your claim after May 25, 2005. Documents could include but are limited to promissory notes, itemized statements of your accounts, cancelled checks, wire transfer confirmations, letters, contracts, judgments, and security agreements. If the claim is secured please attached all document supporting same

Please redact all account numbers other than the last 4 digits on the statement including personal identification numbers such as social security numbers and business EIN numbers.

DO NOT SEND ORIGINAL DOCUMENTS.

Signature:

A large, dark, horizontal smudge or redaction mark covering what would normally be a handwritten signature.

Case 1:05-cv-05231-RJS Document 291 Filed 06/20/13 Page 12 of 19

Case 1:05-cv-05231-RJS Document 283-1 Filed 05/30/13 Page 4 of 4

I am the account owner I am the account owner's authorized agent

Please note that, although you may make a claim through an agent, you DO NOT NEED TO HAVE AN AGENT to make this claim, and pay or offer to pay an agent merely to make this claim or obtain payment on your account. Your claim will not be reduced if you do not have an agent.

Print Name: _____
Title: _____
Company: _____
Email: _____
Telephone Number: _____

Signature _____ Date _____

If claim has been assigned please provide the following information:

Name of Assignee: _____
Address of Assignee: _____
Email of Assignee: _____
Tel No. Of Assignee: _____
Date of Assignment: _____